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7 *Trump Ruffin Tower I LLC*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 WILLIAM SPRADLIN and SHIRLEY
11 SPRADLIN; EMMA ODUCA; SALLY
12 KIM; ELLIOT SPRUNG and DAVID
13 SPRUNG; TDF PROPERTIES, LLC; and
KUNIKO ISHIDA; individually and on
behalf of all persons similarly situated,

14 Plaintiffs,

15 vs.

16 TRUMP RUFFIN TOWER I LLC, a
Delaware Limited Liability Company; and
17 DOES 1 through 100, inclusive,

18 Trump.

CASE NO. 2:08-CV-01428-KJD-RJJ

STATUS REPORT AND
STIPULATION AND ORDER OF STAY
SECOND REQUEST

19 **STATUS REPORT**

20 The parties, Plaintiffs, William Spradlin, Shirley Spradlin, Emma Oduca, Sally Kim,
21 Elliott Sprung, David Sprung, TDF Properties, LLC, and Kuniko Ishida (collectively "Plaintiffs")
22 and Defendant, Trump Ruffin Tower I LLC ("Trump"), through their respective counsel,
23 previously agreed and stipulated to stay this case pending the Nevada Supreme Court's decision
24 in *KJH & RDA Investor Group, LLC et al v. Turnberry/MGM Grand Towers, LLC*, a case
25 prosecuted by the same Plaintiffs' counsel in which the Nevada Supreme Court is asked to
26 determine the enforceability of an arbitration clause identical to the clause in the contracts at issue
27 in this case.
28

The parties agreed and stipulated that if the Nevada Supreme Court did not rule on the issue within 120 days of the stipulation and order on file in this case, the parties would provide this court with a status report, and either submit a second stipulation and order of stay or a stipulated discovery plan.

This Court considered the stipulation and on November 17, 2008 entered an order that:

(1) the case was stayed pending notice of ruling in the Nevada Supreme Court case titled *KJH & RDA Investor Group, LLC et al v. Turnberry/MGM Grand Towers, LLC*; and

(2) if the Nevada Supreme Court had not ruled within 120 days of the order, the parties would provide the court with a status report, and either submit a second stipulation and order of stay or a stipulated discovery plan.

The Nevada Supreme Court heard oral argument on the issue on March 2, 2009, but took the matter under advisement. Plaintiffs' counsel expects a decision on the issue within Ninety (90) days.

STIPULATION

Based on the above, the parties agree and therefore stipulate to extend the stay entered in this case for an additional Ninety (90) days pending the Nevada Supreme Court's decision in *KJH & RDA Investor Group, LLC et al v. Turnberry/MGM Grand Towers, LLC*.

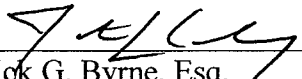
If the Nevada Supreme Court has not issued its decision within 90 days of this stipulation and order, the parties will provide the court with an additional status report, and either submit a third stipulation and order of stay or a stipulated discovery plan.

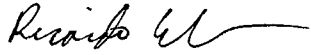
Dated: March 13, 2009.

Dated March 11, 2009

SNELL & WILMER L.L.P.

GERARD & ASSOCIATES


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ORDER

IT IS ORDERED that this case is stayed pending notice of ruling in the Nevada Supreme Court case titled *KJH & RDA Investor Group, LLC et al v. Turnberry/MGM Grand Towers, LLC*.

IT IS FURTHER ORDERED that if the Nevada Supreme Court has not ruled within 90 days of this order, the parties will provide the court with a status report, and either submit a third stipulation and order of stay or a stipulated discovery plan.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE

Dated: March ____, 2009.

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